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COMMERCE FOR BIS (GOLDMAN)
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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP-UP FOR THE
WEEK ENDING MARCH 23

This is CWC-29-07.

REVCON PREPARATORY MEETING

¶1. (U) Ambassador Parker (UK) chaired a meeting of the open-ended working group for the Second Review Conference on March 23. The meeting covered the modalities for a possible meeting of States Parties and NGOs (discussion continued from the February 20 meeting), as well as activities not prohibited under the Convention (Article VI). Parker had scheduled the morning and afternoon for consultations, but the consultation wrapped up after the morning session. Having said that, the statements by various delegations were much more robust than February's discussion on destruction.

NGO Meeting

¶2. (U) In his various interventions, Parker led delegates toward a November date for the NGO meeting. He also suggested that discussions on possible funding (from voluntary contributions) be discussed with the Bureau and then again at a later date, once the details have been worked out so that SPs can react. He also explained that the starting list for NGO invitations would be the list of who participated in the First RevCon event, adding in new NGOs who have shown interest in or contacted the OPCW. And he encouraged delegations to help identify new NGOs.

¶3. (U) Parker proposed that the TS do the initial data-gathering on invitations, that the Bureau discuss this plan and its timing in its next meeting, and that the OEWG plan to reach its decisions before the summer break. He expressed some concern using "UN lists" of NGOs, as some NGOs might be too specialized to make these lists. Parker also stated that regional groups would receive invitations so they could help ensure complete coverage. He also emphasized the point that the envisioned presentation by the Scientific Advisory Board, as part of its "forward-looking role", would be to indicate progress since the First RevCon, rather than to present a laundry list of recommendation they have made to the TS which have not been picked up.

¶4. (U) The Indian ambassador expressed their willingness to be flexible on a late-2007 date for the NGO meeting, although their original preference was for something later. She also expressed their discomfort with the SAB/NGO interface, not wanting this session to turn into a chance for the NGOs to find fault with the TS by focusing on those SAB recommendations that are not picked up by the TS.

¶5. (U) The Cuban ambassador made a statement on behalf of the NAM and China, stressing a full discussion of participation of NGOs, encouraging a wide geographic representation that focused on developing countries, requesting an initial list of NGOs to be invited, and ensuring that the issues to be discussed with NGOs be vetted. Cuba later expressed support for the Chair's views on NGO identification, invitation, etc., and shared India's concern on the SAB portion of the meeting and the Chair's thoughts on this.

¶6. (U) South Africa associated itself with the NAM statement, and pointed to November 19 as a good date for the NGO meeting. Sweden expressed a preference for the November 19 date for the NGO meeting. Mexico supported the possibility of a stand-alone NGO meeting in November or December, allowing more time for preparation. He also discussed the need for equitable geographic distribution of the participating NGOs and proposed preparing a financial plan to allow this participation.

¶7. (U) Canada encouraged the widest possible participation by NGOs, pointing to the value of this type of event to educate NGOs on the OPCW, in addition to the OPCW learning from the NGOs. In that light, he saw the SAB presentation as useful in this education process and encouraged a broad

presentation, perhaps focusing on problem areas.

¶8. (U) Russia felt that too broad of representation by NGOs would be unworkable and expressed support for the Chair's original proposal. Tunisia proposed the creation of a special fund from voluntary contributions to support participation of representatives from developing countries. Turkey thought a more general introduction to the aims of the CWC might be helpful to begin the discussions with the NGOs.

Article VI

¶9. (U) To being these discussions, Parker reminded delegates that his list of possible topics for the discussion was meant only to spur thoughts and not meant to be exclusive. He also introduced a summary prepared by the TS (dated 23 March 2007) entitled "Working Group for the Preparation of the Second Review Conference: List of Issues Formally Open."

¶10. (U) Del deployed guidance on this topic, introducing the non-paper, which was distributed to delegations. In his statement on behalf of the NAM and China, the Cuban ambassador encouraged discussions on frequency of inspections, OCPF site selection, and transfers.

¶11. (U) The German ambassador suggested that the Second RevCon avoid carrying a long list of issues that perhaps are no longer relevant, but that the list be prioritized for consideration. They proposed that the top priorities be implementation, timely and accurate declarations, inspection frequency, OCPF site selection, and verification as a tool to confidence-building.

¶12. (U) The Netherlands ambassador made a somewhat philosophical statement on a number of topics: Article VI implementation as a shared responsibility of National Authorities and the TS; importance of NA interaction with industry to assess relevance to the object and purpose of the CWC; the role and value of sampling and analysis activities; the role of the verification regime in nonproliferation; encouraging SPs to assess their national implementation measures and provide voluntary feedback to the TS; the concern of "wasting" inspections by carrying them out at

sites that are no longer inspectable or of less relevance; and looking to industry as our global partner, working to improve contacts with them and proposing an industry advisory board to the TS.

¶13. (U) The UK focused on developments in science and technology and how this effects verification. He also mentioned inspection numbers and the need to focus on OCPFs, including resources for these and a selection methodology, welcoming the DG's announcement during EC-48. He also expressed a need for "better" information in OCPF declarations to allow better inspection selections and to avoid "wasted" inspections. He also referenced Jonathan Tucker's paper on CWC verification "holes". (Note: The Chair mentioned that the TS was making the Tucker paper available on the external server.) He also mentioned the importance of timely and complete declarations.

¶14. (U) Canada made a rather strong intervention on this topic. They pointed to Articles VI, X, and XI as the post-destruction focus of the CWC. He stated that the Second RevCon should do better than the First in addressing industry issues. He proposed the possibility of ad hoc working groups, with support of experts, to address various industry issues (e.g., change of ownership of plant sites). He also mentioned: disappointment in our inability to agree to low concentration levels for 2A/2A* chemicals; desire that we find an OCPF site selection methodology that incorporates all elements; need for more specific information on technical characteristics of OCPF plant sites; need for wide use of electronic declarations, taking into account sufficient confidentiality; and the importance of Article VII

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implementation in strengthening Article VI.

¶15. (U) Mexico expressed his opinion that verification should be based on concerns, made reference to the DG's EC-48 announcement regarding the OCPF site selection methodology and concerns with the current methodology, and referenced the upcoming TS documents about inspection frequency. (Note: In subsequent discussions with the Mexican delegate, del rep learned that Mexico's earlier offer to draft some thoughts on inspection frequency resulted in a list of documents they are requesting that the TS prepare on a number of related topics.)

¶16. (U) Japan expressed a desire to see progress made on many of the topics on the Chair's list, including OCPF site selection, sampling and analysis, and declarations. She also noted the low overall inspection rate of industry sites and the importance of risk assessment to valuable verification. She also mentioned the importance of how confidential information is handled to avoid unnecessary criticism of the chemical industry.

¶17. (U) South Africa stated their preference that verification issues that remain unresolved should flow naturally into the RevCon. He also mentioned the importance of equitable geographical distribution of inspections, the need to improve the quality of verification along with quantity, and the impact of verification on industry in developing SPs. He also said that lessons learned from "wasted" inspections should be used to improve declarations in general.

¶18. (U) The Indian ambassador noted positively that the most heavily-industrialized SPs have legislation and other implementation measures and that progress has been made on initial declarations. She encouraged continued TS support of SPs on initial declarations. She encouraged continued progress on Industry Cluster issues, with unresolved issues spilling over to the RevCon. She said that further TS input is needed on increases in OCPF inspections and developments in science and technology. She has concerns that the increases in OCPF inspections and supporting information be tied together, and emphasized that the idea of risk from OCPFs is not defined in the CWC, as it is clearly done for

Scheduled chemicals.

¶19. (U) Iran expressed his opinion that there is a clear link between Articles VI and XI and that ways need to be explored where developing SPs can be helped within Article VI. He stated that the primary focus of the CWC is destruction, followed by the peaceful uses within industry. He finds the balance hard to make when SPs are lagging in their destruction. He also mentioned the need to address Schedule 3 transfers during the RevCon.

¶20. (U) The Chinese ambassador stated that she sees a need to address in the RevCon the balance in the CWC around verification. She also felt a need to discuss in the RevCon: timely and accurate declarations; assistance and cooperation for developing SPs; careful review of data provided; review of inspection experience to date; risk and relevance to the CWC; inspection frequency; role of the EC in overseeing the verification regime; and outstanding issues (e.g., OCPF site selection, 2A/2A*).

¶21. (U) Russia stated that declarations must be improved. He also talked about the impact of advances in science and technology and the balance of OCPF inspection numbers with destruction through 2012.

POSSIBLE REORGANIZATION WITHIN THE TS

¶22. (SBU) Gary Mallard (Head, OPCW Laboratory) visited the Del to discuss a possible reorganization within the TS that is of some concern. He said there was discussion within the TS of the possibility of moving the OPCW Equipment Store from

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under Technical Support Branch (TSB) to the Operations and Planning Branch (OPB) within the Inspectorate. The Store would stay physically at the facility in Rijswijk, but the Manager would be moved to the main OPCW building.

Apparently, this was tried in the past and was not successful. There is some interface between the Store and the Lab, and this would make that more difficult. Also, it would be difficult for the Store Manager to execute his responsibilities from afar.

¶23. (SBU) The speculation as to the reason behind this possible move is that there is concern about keeping a D-level position within the Inspectorate for Japan. Apparently, there is significant concern that Japan will not be able to come forth with a suitable candidate for the Director of the Inspectorate upon Ichiro Akiyama's departure.

There may be somewhat more certainty in the possibility of securing a Japanese replacement for Shigeyuki Urano (Head, OPB) upon his departure. The thought is that, by moving the Store and its staff under OPB, there would be enough justification for making the Head of OPB a D-level position.

¶24. (SBU) Mallard came to the Del to make us aware of the situation and to get advice on how to deal with it. He said that he has been asked by his management to prepare a counter-proposal to this change. Del reps replied that if Japan is concerned about maintaining a suitable high-level TS position, the more sensible solution is for Japan to find a suitable candidate to replace Akiyama. The Rijswijk facility seems to be operating very well, even under the new pressures of supporting Schedule 2 inspections with sampling and analysis, and the change under consideration is of very questionable value.

¶25. (SBU) If the decision is made to pursue this change, this would have to be part of a budget proposal, and would likely generate a number of questions from delegations, for which it did not appear the TS had good answers. At a minimum, it would be likely that delegates would ask the Office of Internal Oversight to assess the need for such a change. Del reps advised Mallard that he might wish to

convey any of all of these observations as part of TS deliberations of this proposed change.

WEOG DISCUSSION ON IRAN

¶26. (U) At the March 20 WEOG, Ambassador Javits raised the issue of how to deal more effectively with Iran's obstructionist behavior, particularly in light of Iranian behavior at the late night EC session of March 16. The Ambassador's comments led to an extensive discussion of the issue. He observed that after it was clear that all of the delegations in the EC were on board with the EC report language concerning Albanian destruction efforts, it would have been helpful if some of our WEOG colleagues had intervened to support the compromise language that Russia, the U.S. and Albania had supported. The Ambassador stressed that this would have reinforced Iran's isolation and possibly led to a quicker resolution of the issue. It also probably would have helped the Iranian del impress upon its minders from Teheran the total and complete isolation of Iran.

¶27. (U) Several delegations including France and Germany responded, rather defensively, that they had intervened earlier in the debate. Others including Australia and Ireland said that they would have been more inclined to have intervened had they known more about the state of play of the negotiations. Their point was that as they did not know the exact state of play, they were unsure whether a particular comment would have been a help or a hindrance. Canada said that they felt that having more delegations speak up in support of the consensus text might have been counter-productive, as some NAM delegations that had not supported Iran might have felt compelled to support Iran if it was felt that WEOG was "ganging up" on a fellow NAM SP.

¶28. (U) The UK and Switzerland shared the U.S. view that it would have been helpful if other delegations had spoken up, at a minimum, to have expressed support for the Russia/U.S./Albanian text. Switzerland observed that other

regional groups including the GRULAC and Eastern European group were also very unhappy with Iran's obstructionism.

¶29. (U) Almost all of the WEOG delegations agreed that greater efforts are needed to be made to keep delegations not involved in negotiations on the margins of the EC up to date with the state of play of the negotiations. This would make it easier for delegations to offer support in the EC. Christer Ahlstrom, the WEOG coordinator, was very supportive of taking the initiative to work to keep WEOG dels informed.

¶30. (U) While a few delegations, most notably France, felt that Ambassador Javits was being tough with other WEOG delegations for their lack of vocal support, most delegates told us that they believed the Ambassador's intervention was timely and led to a frank yet very productive discussion. Time will tell, but hopefully some delegations may be less reluctant to speak up in the future. Past practice has always been that delegations are upset at Iran's intransigent behavior, but then do not take any action at subsequent consultations or ECs. However, as last Friday's experience was a new high (or low), perhaps there might be more of a willingness to speak up. Del will also work harder to ensure that other like-minded delegations are up to speed with negotiations on the margins so as to facilitate their support in the EC. Finally, as Russia is particularly upset with Iran, del will stay in particularly close touch with them and see if they can assist in restraining Iran.

¶31. (U) Javits sends.
BLAKEMAN